

23391

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor	Siegfried MANTL	
Patent App.	10/554,074	
Filed	20 October 2005	Conf. No. 2822
For	METHOD FOR PRODUCING A TENSIONED LAYER ON A SUBSTRATE, ...	
Art Unit	2826	Examiner Yeung Lopez, F
Hon. Commissioner of Patents Box 1450 Alexandria, VA 22313-1450		

FIFTH AMENDMENT

This is in response to the Office Action mailed  
22 May 2008.

Applicant herewith restricts this with traverse as  
follows to the following method/process claims:

Group A	claim 14
Group B	claim 22
Group C	claims 27 and 28
Group D	claim 26
Group E	claim 43.

Thus only claims 6, 23, 29, 30 31, 33, 34, 38 and 44 are  
withdrawn.

(Claims 7--9, 40, 41, 46, 47, 49, and 80-89 have already been canceled.)

Product-by-process claims 91--97 will be dealt with after action on the underlying method claims. It is noted that 37 CFR 1.475(b)(1) specifically exempts product-by-process claims from restriction/election in a PCT case.

It is respectfully noted that the above-identified Rule 475 for PCT (371) cases like this one is much more liberal than the rules regarding standard US cases. Rule 475 explicitly states that certain classes of invention have to be left together in a US national-phase (371) application, even though admittedly if this were a standard US filing restriction or election would be proper.

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